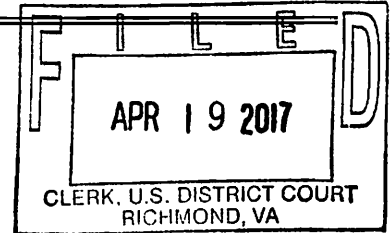


## UNITED STATES DISTRICT COURT

for the  
Eastern District of Virginia

In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)The entire premises located at 2001 Gateshead Drive  
Chesterfield, VA

Case No. 3:17sw

53

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):  
See Attachment A

located in the Eastern District of Virginia, there is now concealed (identify the person or describe the property to be seized):  
See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. Section 922(a)(1)(A)	Dealing Firearms without a License

The application is based on these facts:  
See Attached Affidavit

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: 04/19/2017City and state: Richmond, VA

Applicant's signature

Adam Ulery, Special Agent ATF

Printed name and title

/s/

  
David J. Novak  
United States Magistrate Judge

Judge's signature

Honorable David J. Novak, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA**

**Richmond Division**

**IN THE MATTER OF A SEARCH  
WARRANT AT 2001 GATESHEAD  
DRIVE, CHESTERFIELD, VA**

Case No. 3:17sw

53

**AFFIDAVIT IN SUPPORT OF THE SEARCH WARRANT**

**Experience of Affiant**

I, Adam J. Ulery, being duly sworn depose and say, that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, have been so employed for four years, and have reason to believe that evidence of a crime or crimes is now concealed on the premises located at 2001 Gateshead Drive, Chesterfield, VA, within the Eastern District of Virginia, the premises containing a single family, two-story brick with yellow siding residence. The residence is located on the east side of Gateshead Drive. *See* Attachment 1 for a photograph of the premises.

The evidence of a crime or crimes I have reason to believe is now concealed is: firearms, ammunition, magazines, evidence of firearm and ammunition transactions, purchase records, receipts, and notes relating to firearm and controlled substance transactions, and communications, in whatever form, including electronic form, such as on computers and cellular telephone devices; indicia of ownership and occupancy of the premises. The facts to support the issuance of a Search Warrant are as follows:

**AFFIDAVIT**

**Background**

My law enforcement and legal training consist of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in the winter of 2009, and the Special Agent Basic Training at the ATF National Academy in the spring of 2010. I received specialized training at the academy concerning violations of the Gun Control Act within Title 18 of the United States Code. Since graduating from the academy, I have been at the ATF Fairview Heights Field Office from the spring of 2010 until the present. In addition to training at the academy, I attended the ATF Complex Case training in January of 2013.

1. In May through June 2016, Colleen Hastings, mother of **Isaiah Janes**, noticed that Janes had been depressed in May through June 2016, had a bad addiction to marijuana, alcohol, and had become delusional. Janes was also a former member of the United States Marine Corps.

2. In June 2016, Isaiah Janes was involuntarily committed into a mental facility in San Diego, California. Janes was ultimately deemed mentally incompetent by the State of California. The ATF obtained documentation from the California Department of Justice, Bureau of Firearms showing that Janes was prohibited from possessing a firearm. On June 6, 2016, Janes attempted to purchase a Remington, model 870 Express, 12-gauge shotgun from Dicks Sporting Goods in Warwick, RI, and was denied by NICS because Janes was listed as a prohibited person.

3. On June 20, 2016, Hastings (Janes' mother) took Janes to a train station in Rhode Island, and from there Janes traveled to Boston, Massachusetts. Hastings went on to state that once in Boston, Massachusetts, Janes then flew to Richmond, VA.

4. On June 24, 2016, Janes rented a Chevy *Spark* from Rent-a-Wreck in Richmond, VA. This vehicle was equipped with a GPS tracking device by Rent-a-Wreck.

5. On June 30, 2016, Janes was interviewed via cell phone by ATF S/A Edward Troiano of the ATF Providence, Rhode Island field office, regarding the attempted purchase of the Remington, model 870 Express, 12 gauge shotgun. Janes advised that he was not aware that his issues in California prevented him from purchasing a firearm. Janes further advised that his admission into the psychiatric hospital was a result of a bad misunderstanding with a roommate. Janes advised S/A Troiano that he was camping in Northern Virginia. S/A Troiano advised Janes that he could not purchase nor possess any firearm. Janes advised that he did not currently have any firearms.

6. On July 10, 2016, Steve Jones of Hinton, VA contacted the Rockingham County Virginia Sheriff's Department regarding a suspicious vehicle. Jones advised that the suspicious vehicle had been parked at the site for over a week. Jones advised that he owns several rental properties in that area and that Isaiah Janes had rented a property from him for the dates of July 1, 2016, through July 6, 2016. Jones advised that he had contact with Janes through text messaging at the number of 323-370-5657. Investigators with the Rockingham County, Virginia Sheriff's Department found on the property an unoccupied Chevy *Spark* registered to Rent-a-Wreck. Investigators searched the vehicle

and located a Mac Book laptop, a box of 7.62 x39mm ammunition with ten (10) rounds missing, and an empty box for a Century Arms International, C39V2, 7.62 x39mm caliber rifle, SN: 39NC10329, along with a rifle magazine.

7. On July 11, 2016, the Rockingham County Virginia Sheriff's Department conducted a search in Hinton, VA for Janes. At approximately 10:05 am, the Rockingham County Sheriff's Department located a deceased male body in a wooded area in Hinton, VA. The body was badly decomposed and did not have a head attached to the body; however, a skull was located nearby. Law enforcement found a suicide note near the body. Law enforcement also found a rifle, a rifle magazine and a cell phone near the body. Law enforcement found credit cards and various forms of identification in the name of Isaiah Janes on the deceased male body. Law enforcement discovered that the rifle was a Century Arms International, C39V2, 7.62 x39mm caliber rifle, SN: 39NC10329 (the "AK-47") that contained one (1) round in the chamber. The magazine that was found next to the body contained eight (8) rounds of 7.62 x 39mm ammunition. A trace of the firearm showed that it was purchased by Richard Wince from the Dominion Shooting Range on June 21, 2016. The cell phone was determined to have assigned number of (323)370-5657 in the name of Isaiah Janes, and was an Apple, iPhone 6 which is locked, and cannot be opened by law enforcement.

8. On July 20, 2016, S/A Ulery interviewed Matthew Allen, owner of Rent-a-Wreck. Allen confirmed that on June 24, 2016, Janes rented a Chevy *Spark* from his business. S/A Ulery was also given GPS data from said rental vehicle. The GPS data showed that on June 25, 2016, at approximately 2:14pm, the rental vehicle was at Dominion Shooting Range.

9. The investigation further revealed that Richard Wince had purchased the AK-47 found near Janes's body from [www.budsgunshop.com](http://www.budsgunshop.com) in March 2016. At that time, the firearm was placed on layaway. Wince used the email address of [Richard.wince@hotmail.com](mailto:Richard.wince@hotmail.com) to set up his online account with Buds Gun Shop.

10. In June 2016, Wince completed payment for this AK-47 with Buds Gun Shop and the rifle was then transferred to Dominion Shooting Range for Wince to complete the necessary background paperwork and take possession of the firearm.

11. On June 21, 2016, Wince completed the sale of the AK-47 and took possession of the rifle at the Dominion Shooting Range. As previously noted, Isaiah Janes's rental vehicle was tracked to the location of the Dominion Shooting Range on June 25, 2016.

#### **Evidence regarding Richard Wince's numerous firearm purchases**

12. Approximately one year earlier, on July 17, 2015, a Smith & Wesson, Airweight .38 caliber revolver, SN CXS5568 was recovered from Darryl Freeman, who at that time was a multi-convicted felon. The investigation revealed that this particular .38 caliber revolver had earlier been purchased by Jeffrey Phillips, so on October 13, 2015, ATF S/A Mark Jones interviewed Phillips in reference to the revolver. Phillips advised S/A Jones that he had sold the firearm to Richard Wince in April 2015. Phillips advised that he met Wince on the website [www.vaguntrader.com](http://www.vaguntrader.com). Phillips added that when they made the firearms transaction, Wince identified himself as a District of Columbia police officer and produced credentials to support the claim.

13. On October 27, 2015, S/A Mark Jones and Jerad McComas interviewed Richard Wince in reference to purchasing/selling a firearm that was recovered in the possession of Darryl Freeman. Wince advised that he collected firearms as a hobby and would occasionally buy and sell firearms over the internet. Wince added that he mostly used the site www.guntrader.com. Wince advised he had approximately 10-15 firearms in his collection. Wince was questioned about the disposition of a Smith & Wesson, Airweight, .38 caliber revolver, SN CXS5668. Wince advised that he could not locate any records of who he may have sold said firearm to, but believed he sold the firearm for between \$300-\$350. Wince also provided his cell phone number as 804-614-0359.

14. In August 2016, your affiant, S/A Ulery, began researching various websites used to sell firearms and located the website www.vaguntrader.com. The profile of "rwince" had a listed email address as Richard.wince@hotmail.com, and also listed "rwince" as living in Chesterfield and having an occupation as "LE." Your affiant also reviewed posts made under the "rwince" profile. There were approximately 230 posts made by other users in which they talked about their various transactions with "rwince." Your affiant then began monitoring the "rwince" profile and observed multiple posts by "rwince" in which he was advertising firearms for sale. The advertisements also included the phone number of 804-614-0359.

15. On August 25, 2016, your affiant observed that the profile "rwince" posted an advertisement for a "WTT/S CAI RAS AK-47" for sale on www.vaguntrader.com. The advertisement further stated the firearm was in great condition, it came with three (3) magazines and "rwince" would "throw in some ammo." The advertisement also stated "text for pic 804-614-0359, or email

Richard.wince@hotmail.com". Your affiant, acting in an undercover capacity, texted the phone number and asked for photos of the firearm, asked how long "rwince" had had it, and how many rounds have been shot through the firearm. A short time later, your affiant received a text message back from 804-614-0359 that stated "rwince" had just picked up the firearm in a trade, and according to the person he got it from, it had been shot very little.

16. On August 26, 2016, your affiant observed that the profile "rwince" posted an advertisement for a "Glock 42 w/extras" for sale on [www.vaguntrader.com](http://www.vaguntrader.com). The advertisement further stated that the firearm was "like new" and had less than 200 rounds fired through it. The firearm was listed for \$425. The advertisement also included a hyperlink to a [www.armslist.com](http://www.armslist.com) advertisement for the same firearm.

17. On September 7, 2016, your affiant observed that the profile "rwince" posted an advertisement for a "Like new S&W CS9 \*\*Rare\*\*" for sale on [www.vaguntrader.com](http://www.vaguntrader.com). The advertisement further stated the firearm was like new, original box and two (2) magazines and to text 804-614-0359. An asking price of \$550 was posted. Also included on the advertisement was a hyperlink to a [www.armslist.com](http://www.armslist.com) advertisement for the same firearm.

18. On September 13, 2016, your affiant observed that the profile "rwince" posted an advertisement for a "Kimber Custom Crimson Carry II 'like new'". The advertisement further stated that the firearm was in "like new condition...box, 2 mags, can add ammo...\$875 cash \$950 trade. 804-614-0359. Couple pics here



<http://www.armslist.com/posts/5898321/ri...rimson-carry-ii.>” On September 19, 2016, “rwince” updated the advertisement with the posting of “Ar-15 to trade?”

19. On September 13, 2016, your affiant observed that the profile “rwince” posted an advertisement for a “Bninb Adams Arms piston driven AR-15 w/extras.” The advertisement further stated that the firearm was “unfired, with “magpul” upgrades. Original furniture included. Text for pics. \$825 804-614-0359 Few pics here <https://www.armslist.com/posts/5898340/r...s-arms-w-extras>”.

20. On April 10, 2017, I received information from Armslist regarding the Armslist account of Wince through a court ordered subpoena. Said subpoena showed that from June 2013, through April 2017, Wince posted 402 firearm related postings on Armslist. Armslist is a website where users can post firearms, magazines, ammunition other firearms accessories online for sale to other members.

21. On April, 17, 2017, I utilized an ATF undercover agent to purchase a Smith & Wesson, Bodyguard, semi-automatic pistol from Wince that he posted on the website [www.vaguntrader.com](http://www.vaguntrader.com) for sale. Said firearm was listed for sale at \$300.00. The undercover agent contacted Wince via text at 804-614-0359 as listed in the advertisement. Wince sent the undercover agent photos of the Smith & Wesson Bodyguard pistol from said number. The undercover agent advised Wince that he could meet with him on April 18, 2017, to complete the purchase. Wince advised that there were other interested parties and the firearm would probably be sold that night. The undercover agent then asked if Wince had any other firearms for sale. Wince advised that he had a Smith & Wesson Shield, 9mm, semi-automatic pistol for sale, but it would

cost \$375. The undercover agent advised Wince that he would purchase said firearm. The undercover agent and Wince agreed to meet at 7pm that evening at Southern Gun World parking lot in Chesterfield, VA, to complete the transaction. At approximately 7pm that evening, the undercover agent and Wince met at the Southern Gun World parking lot. The undercover agent was wearing an audio/video recording device at this time. Said firearm was found to still be in its original packaging and Wince advised the undercover agent that it had never been fired. The undercover agent advised Wince that he did not mind paying the higher price for the firearm since he did not have to fill out the paperwork. Wince never asked the undercover agent for any form of identification, and the undercover paid Wince \$370 for the firearm because neither party had exact change. A review of the firearm after purchase showed that it was a Smith & Wesson M&P 9 Shield, 9mm semi-automatic pistol, SN HXF5570. ATF paperwork shows that Wince purchase said firearm from Town Police Supply on April 10, 2017. Wince drove to and from this transaction in a silver Ford Focus, Virginia license plate VPM-7310.

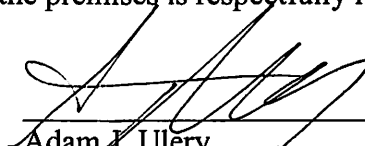
22. On April 19, 2017, I and ATF Special Agent Berkeley Kcraget interviewed Wince at his residence, 2001 Gateshead Drive, Chesterfield, VA. I made contact with Wince at the basement door of his residence and at which time I identified myself as an ATF agent. Wince then invited us into the home and consent to a video recording of the interview. Wince advised that he was active on [www.vaguntrader.com](http://www.vaguntrader.com) and [www.armslist.com](http://www.armslist.com). Wince stated that he has over 1300 postings on [www.vaguntrader.com](http://www.vaguntrader.com). Wince advised that he takes photos of everyone's IDs that he sells firearms to. Wince was questioned about a CAI, C39 Sporter, 7.62 caliber rifle SN 39NC10329. Wince advised that he sold it to a male who was in the military but could

not provide the agents with any identifiers of the purchaser. Wince advised that he had approximately 15 to 20 receipts from various firearm transactions in his residence. Wince conducted a brief search of his residence and advised that he could not find them. Wince also provided access to his firearms safe at which time Wince advised that none of the firearms in the safe would be in his name, meaning that he had acquired them on the secondary market. It should be noted that Wince has purchased four (4) brand new firearms from FFL's since the beginning of 2017, and did not have them in his possession. Wince did have a Kel-Tec sub 2000, 9mm rifle, SN EQL58 in his possession. Wince advised he was going to trade said firearm later that day. Wince also advised agents that he would not consent to a search of his iPhone as he had things on there that he did not want the agents to see. Wince advised that he was "addicted" to being on [www.armslist.com](http://www.armslist.com) and [www.vaguntrader.com](http://www.vaguntrader.com).

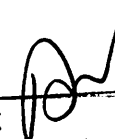
### **CONCLUSION**

Based on the foregoing facts, there is probable cause that Richard Wince., has committed and continues to commit violations of Title 18 U.S.C. § 922(a)(1)(A), dealing firearms without a license.

Based on the foregoing facts, there is probable cause to believe that within the entire premises of 2001 Gateshead Drive Chesterfield, Virginia 23235, there is evidence of violations of Title 18 U.S.C. § 922(a)(1)(A). Accordingly, authorization to search the residence, vehicles and any outer buildings on the premises is respectfully requested.

  
\_\_\_\_\_  
Adam J. Ulery  
Special Agent, ATF

Subscribed and sworn to before me  
this 19<sup>th</sup> day of April, 2017.

  
\_\_\_\_\_  
/s/  
David J. Novak  
United States Magistrate Judge